

Testimony of Michael J. Brandi, Executive Director and General Counsel
State Elections Enforcement Commission
Submitted to the Joint Committee on Appropriations
February 13, 2020

Regarding Governor's Bill 5005, An Act Adjusting the State Budget for
the Biennium Ending June 30, 2021

Thank you, Senator Osten, Representative Walker, and honorable members of the Committee, for the opportunity to submit this written testimony on the Governor's Proposed Adjustments to the State Budget for Fiscal Year 2021, as set forth in Governor's Bill 5005. The mission of the State Election Enforcement Commission ("SEEC") is to administer and enforce the provisions of the Connecticut's election laws and to thereby ensure the public's confidence in the electoral process. The SEEC has one primary concern relative to the Governor's Recommended Adjustments:

HR Position Reallocation. The Governor's Recommended Adjustments reallocate the funding and position (-\$82,821) for the Freedom of Information Commission's ("FOIC") Human Resource ("HR") Specialist position to the Department of Administrative Services ("DAS"), noting that it is part of the Governor's initiative to streamline state government operations. Though the position is for the FOIC, this move would adversely affect the SEEC. The HR position that resides in the FOIC is a shared position, pursuant to an MOU with the Office of State Ethics ("OSE") and SEEC, following the failed merger of these three watchdog entities into the Office of Governmental Accountability. Like many of the other out of scope agencies, the watchdogs are located within the Executive Branch but are not part of the Executive Branch. The SEEC is a law enforcement agency and has jurisdiction and oversight over candidates, *inter alia*, for office within the Executive Branch. For these reasons, it is critical that the watchdogs retain their independence. When the three watchdogs were restored to their independent status in 2016, the then DAS Commissioner entered into an agreement with the FOIC, OSE and SEEC to transfer a position, along with funding from DAS, to the watchdogs, to ensure efficiency and the independence of the agencies with respect to their HR functions. As an out of scope agency, the SEEC (and the other watchdogs) will necessarily follow all of the state rules and regulations relative to its HR and labor relations functions, and will continue to partner with DAS. The position itself however, should remain within, and be accountable to, the FOIC, OSE and SEEC. This will protect both the watchdogs, this administration and future administrations from any concerns regarding interference with watchdog independence.

The SEEC believes that it should be deemed an "out of scope" agency, similar to the other agencies currently placed in that category and that the HR position should remain within the FOIC, and subject to the MOU. **The SEEC therefore requests that the HR position and funding NOT be reallocated to DAS.**